

# House File 413 - Introduced

HOUSE FILE \_\_\_\_\_  
BY D. OLSON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to certain lobbying activities by employees of  
2 the general assembly.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 2370HH 83  
5 tm/rj/5

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1 1 Section 1. Section 68B.5A, subsections 1, 2, 3, 5, and 6,  
1 2 Code 2009, are amended to read as follows:  
1 3 1. A person who serves as a statewide elected official,  
1 4 the executive or administrative head of an agency of state  
1 5 government, the deputy executive or administrative head of an  
1 6 agency of state government, or a member or legislative  
1 7 employee of the general assembly shall not act as a lobbyist  
1 8 during the time in which the person serves or is employed by  
1 9 the state unless the person is designated, by the agency in  
1 10 which the person serves or is employed, to represent the  
1 11 official position of the agency.  
1 12 2. The head of a major subunit of a department or  
1 13 independent state agency whose position involves substantial  
1 14 exercise of administrative discretion or the expenditure of  
1 15 public funds, or a full-time employee of an office of a  
1 16 statewide elected official whose position involves substantial  
1 17 exercise of administrative discretion or the expenditure of  
1 18 public funds, ~~or a legislative employee whose position~~  
1 19 ~~involves a substantial exercise of administrative discretion~~  
1 20 ~~or the expenditure of public funds~~, shall not, during the time  
1 21 in which the person serves or is employed by the state, act as  
1 22 a lobbyist before the agency in which the person is employed  
1 23 or before state agencies, officials, or employees with whom  
1 24 the person has substantial or regular contact as part of the  
1 25 person's duties, unless the person is designated, by the  
1 26 agency in which the person serves or is employed, to represent  
1 27 the official position of the agency.  
1 28 3. A state ~~or legislative~~ employee who is not subject to  
1 29 the requirements of subsection 2 shall not act as a lobbyist  
1 30 in relation to any particular case, proceeding, or application  
1 31 with respect to which the person is directly concerned and  
1 32 personally participates as part of the person's employment,  
1 33 unless the person is designated, by the agency in which the  
1 34 person is employed, to represent the official position of the  
1 35 agency.  
2 1 5. The head of a major subunit of a department or  
2 2 independent state agency whose position involves substantial  
2 3 exercise of administrative discretion or the expenditure of  
2 4 public funds, or a full-time employee of an office of a  
2 5 statewide elected official whose position involves substantial  
2 6 exercise of administrative discretion or the expenditure of  
2 7 public funds, ~~or a legislative employee whose position~~  
2 8 ~~involves a substantial exercise of administrative discretion~~  
2 9 ~~or the expenditure of public funds~~, shall not, within two  
2 10 years after termination of employment, become a lobbyist  
2 11 before the agency in which the person was employed or before  
2 12 state agencies or officials or employees with whom the person  
2 13 had substantial and regular contact as part of the person's  
2 14 former duties.  
2 15 6. A state ~~or legislative~~ employee who is not subject to  
2 16 the requirements of subsection 2 shall not, within two years  
2 17 after termination of employment, act as a lobbyist in relation  
2 18 to any particular case, proceeding, or application with  
2 19 respect to which the person was directly concerned and  
2 20 personally participated as part of the person's employment.

2 21

EXPLANATION

2 22 This bill relates to certain lobbying activities by  
2 23 employees of the general assembly.

2 24 The bill prohibits a full-time employee of the general  
2 25 assembly from acting as a lobbyist during the time in which  
2 26 the person serves or is employed by the state. As a result,  
2 27 the employee is further prohibited from becoming a lobbyist  
2 28 within two years after the termination of employment with the  
2 29 general assembly. These prohibitions would be identical to  
2 30 the prohibitions currently in place for members of the general  
2 31 assembly. As is the case for members of the general assembly,  
2 32 the bill would allow an employee of the general assembly to  
2 33 lobby within two years of the termination of employment if the  
2 34 person is elected to, appointed to, or employed by another  
2 35 office of the state, an office of a political subdivision of  
3 1 the state, or the federal government and appears or  
3 2 communicates on behalf or as part of the duties of that office  
3 3 or employment.

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